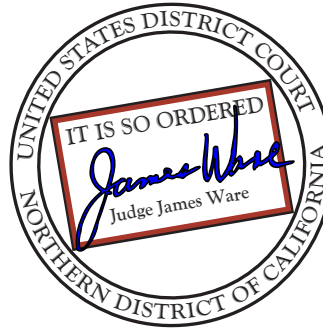


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8 Attorneys for Defendants  
9 CITY OF MOUNTAIN VIEW and WHITNEY MCNAIR

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

12 KAREEM W. NAHAS, ANDREW  
13 NAHAS, and BIG SKY ENTERTAINMENT,  
14 Inc., a California Corporation,

15 Plaintiffs,

16 vs.

17 CITY OF MOUNTAIN VIEW, WHITNEY  
18 McNAIR, in her individual and  
19 representative capacity, and DOES 1  
20 through 50, INCLUSIVE,

21 Defendants

Case No.: C03 05057

**STIPULATION AND ORDER  
REGARDING TRIAL DATE**

22 Plaintiff, BIG SKY ENTERTAINMENT INC., and defendants, the CITY OF  
23 MOUNTAIN VIEW, and WHITNEY MCNAIR, by and through the respect of counsel,  
24 hereby enter the following stipulation:

25 1. Defendants intend on filing a motion for summary judgment with respect  
26 to the remaining causes of actions and claims contained within the plaintiff's fourth  
27 amended complaint.

28 2. By order dated June 9, 2006 issued by the Honorable Judge James  
Ware, over the objections of the plaintiff, the court ordered that defendants shall have

1 the opportunity to file a motion for summary judgment as stated above, but, the soonest  
2 the court could hear the motion for summary judgment would be September 11, 2006.

3 3. That this matter is currently set for trial to commence on September 12,  
4 2006.

5 4. That during the month of July, 2006, the parties will have to engage in a  
6 substantial amount of pre-trial activities, including the preparation of trial binders, trial  
7 exhibits, pre-trial statements, motions in limine, and pre-trial conference statements, all  
8 to be submitted to the court in line with the September 12, 2006 trial date.

9 5. The parties wish to avoid the costs of preparing this case for trial until  
10 after the motion for summary judgment to be filed by the defendants is heard.

11 **WHEREAS**, the parties respectfully request that the court issue the following  
12 order:

- 13 1. That the September 12, 2006 trial date is hereby vacated;  
14 2. That when the court hears defendants' motion for summary judgment, that  
15 the court also hold a trial setting conference and set this matter for trial on  
16 a date convenient to the calendar of all counsel and the court; and  
17 3. That all pre-trial activity delineated within the court order dated March 20,  
18 2006 are hereby vacated. The court will issue a new pre-trial conference  
19 order at the time a new trial date has been selected and assigned.  
20

21 IT IS SO STIPULATED:

22 Dated: June 23, 2006


23 **STUBBS & LEONE**

24   
25 LOUIS A. LEONE, ESQ.

26 Attorneys for Defendants  
27 CITY OF MOUNTAIN VIEW and  
28 WHITNEY MCNAIR

1 Dated: June 16, 2006

ERIC J. SIDEBOTHAM, ATTORNEY AT LAW

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5 ERIC SIDEBOTHAM ESQ  
6 KAREEM W. NAHAS, ANDREW  
7 NAHAS and BIG SKY ENTERTAINMENT, Inc

9 IT IS SO ORDERED:

10 07/07/06

11 Dated: \_\_\_\_\_

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STIPULATION AND ORDER REGARDING TRIAL DATE

1 Dated: June \_\_\_\_, 2006

ERIC J. SIDEBOTHAM, ATTORNEY AT LAW

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5 ERIC SIDEBOTHAM, ESQ.  
6 Attorney for Plaintiffs  
7 KAREEM W. NAHAS, ANDREW  
8 NAHAS, and BIG SKY NTERAINMENT, Inc

9 IT IS SO ORDERED:

10  
11 Dated: \_\_\_\_\_

12  
13  
14 THE HONORABLE JAMES WARE